

ALEX G. TSE (CABN 152348)  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JOSE SANCHEZ FLORES,  
  
Defendant.

Case No. 5:17-cr-00506-BLF

STIPULATION AND [PROPOSED] ORDER  
EXCLUDING TIME

Counsel for the Defendant Jose Sanchez Flores and the government appeared before the Court on July 17, 2018 at 9:00 AM for a status conference. Defendant Jose Sanchez Flores was aware of the status conference, and by and through undersigned counsel, respectfully requested that his personal presence at the status conference be waived pursuant to Fed. R. Crim. P. 43(b)(3), which the Court permitted. Defendant Jose Sanchez Flores understands that his personal presence is required at all future hearings in this matter unless he is excused by the Court in advance. The matter was continued to September 18, 2018 at 9:00 AM for a status conference or possible change of plea. Counsel for the Defendant requested that time be excluded under the Speedy Trial Act between July 17, 2018 and September 18, 2018 in order to review discovery and conduct necessary investigation. The government has no objection.

1 Accordingly, Defendant and the United States hereby STIPULATE and AGREE that time under  
2 the Speedy Trial Act be excluded from July 17, 2018 and September 18, 2018 pursuant to 18 U.S.C. §§  
3 3161(h)(7)(A) and (B)(iv) to allow for effective preparation of counsel, taking into account the exercise  
4 of due diligence.

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6 Respectfully submitted,

7 ALEX G. TSE  
Acting United States Attorney

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9 MICHAEL G. PITMAN  
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16 Attorney for Defendant Jose Sanchez Flores  
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20 [PROPOSED] ORDER

21 Pursuant to the Stipulation of Defendant Jose Sanchez Flores and the United States, the  
22 representations of counsel, and for good cause shown, the Court finds that failing to exclude the time  
23 between July 17, 2018 and September 18, 2018 would unreasonably deny Defendant continuity of  
24 counsel and would deny counsel the reasonable time necessary for effective preparation, taking into  
25 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the  
26 ends of justice served by excluding the time between July 17, 2018 and September 18, 2018 from  
27 computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a  
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1 speedy trial. Therefore, IT IS HEREBY ORDERED that the time between July 17, 2018 and September  
2 18, 2018 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A)  
3 and (B)(iv).

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5 DATED: \_\_\_\_\_

6 THE HONORABLE BETH LABSON FREEMAN  
7 UNITED STATES DISTRICT JUDGE  
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